

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Charles Yovontre Powell, v. Daniel Marland Casey and Jeffery Thomas Austreng, Defendants.	)	COURT MINUTES – CIVIL BEFORE: HILDY BOWBEER U.S. MAGISTRATE JUDGE
	)	Case No: 20-cv-1142 (PJS/HB)
	)	Date: July 16, 2021
	)	Courthouse: Saint Paul
	)	Courtroom: Chambers – Room 632 Conference Bridge
	)	Recording: None
	)	Time Commenced: 11:30 AM
	)	Time Concluded: 11:55 AM
		Time in Court: 25 Minutes

Hearing on: **STATUS CONFERENCE**

**APPEARANCES:**

For Plaintiff: Zorislav R. Leyderman

For Defendant Daniel Marland Casey: Mark F. Gaughan

For Defendant Jefferey Thomas Austreng: Richard W. Hechter  
Defendant Jefferey Thomas Austreng present

For Third-Party Defendant Department of Corrections: Kathleen M. Ghreichi

**PROCEEDINGS:**

- In Person
- By telephone

**Other Remarks:** The Court discussed the scheduling of an early settlement conference with counsel. The State intends to file a motion to dismiss pursuant to Rule 12(b)(1) and 12 (b)(6) and indicated it would not be interested in participating unless ordered to do so. Counsel for the State indicated she hoped to file that motion before the due date. Counsel for the individual defendants expressed their clients' interest in an early settlement conference. Plaintiff's counsel has not yet had a chance to meet with Plaintiff but will attempt to schedule a legal call with him within the next week. He will confirm Plaintiff's interest in an early settlement conference as well as any input about the timing of such a conference,

and will ascertain what documents Plaintiff has relating to the incident and any subsequent medical treatment and whether he is willing to produce those documents informally in advance of a settlement conference. Plaintiff's counsel will also inquire into the availability of Zoom at Oak Park Heights for Plaintiff to participate in a settlement conference. He will report back to the Court by email, copying counsel for the other parties. Once the Court has received that input it will provide available dates for a settlement conference. An order scheduling the conference, including the format, will be issued as soon as a date is selected.

s/ LNP

Courtroom Deputy